

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOSE ORELLANA and JHONNY
HERAS MOLINA,

Plaintiffs,

-against-

PALACIOS DRYWALL INCORPORATED,
JOSE PALACIOS, GUILLERMO MENDOZA,
and YOLANY HERNANDEZ a/k/a Yolany
Sorto De Palacios,

Defendants.

ANALISA TORRES, District Judge:

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 1/9/2024

23 Civ. 1962 (AT)

ORDER

On November 7, 2023, the Court issued an order directing Defendants Palacios Drywall Incorporated, Jose Palacios, and Yolany Hernandez (the “Defaulting Defendants”) to appear at a telephonic conference to show cause why the Court should not enter a default judgment against them. ECF No. 46. The Order directed Plaintiffs to serve the Defaulting Defendants with a copy of the order to show cause and their supporting papers. *Id.* The proof of service submitted by Plaintiffs indicates that all three Defaulting Defendants were served only by mail. ECF No. 47. Plaintiffs’ service upon Defaulting Defendants is deficient, and the Court will not conduct a default judgment hearing unless Defaulting Defendants have received proper notice of the hearing. Accordingly:

1. By **January 30, 2024**, Plaintiffs shall serve this order, a copy of the order to show cause, ECF No. 46, and their supporting papers, ECF Nos. 43–45, upon Defendants Jose Palacios and Yolany Hernandez via **personal service**, and upon Defendant Palacios Drywall Incorporated by **both first-class mail and through the New York Secretary of State**.
2. By **February 2, 2024**, Plaintiffs shall file on the docket (1) proofs of service, and (2) the supporting papers that were served upon the Defaulting Defendants (as attachments to the proofs of service).
3. By **February 13, 2024**, the Defaulting Defendants shall respond to Plaintiffs’ motion.
4. By **February 20, 2024**, Plaintiffs shall file their reply, if any.
5. The default judgment hearing scheduled for January 2, 2023, is ADJOURNED to **February 27, 2024, at 11:40 a.m.** The parties are directed to dial 888-398-2342 or 215-861-0674 and enter access code 5598827.

SO ORDERED.

Dated: January 9, 2024
New York, New York



ANALISA TORRES
United States District Judge